



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

July 21, 2015

Certified Mail
7012 3460 0003 1113 1243

Mr. Bill Johnson, General Manager
Fall River Valley Community Services District
P.O. Box 427
Fall River Mills, CA 96028

TRANSMITTAL OF CITATION NO. 01-02-15(C)010

Dear Mr. Johnson,

The State Water Resources Control Board (Water Board) Division of Drinking Water, has issued the Fall River Valley Community Services District a citation, which is attached.

If you have any questions regarding this matter, please contact Steve Watson at (530) 224-4828 or me at (530) 224-4800.

A handwritten signature in black ink, reading "Michael J. McNamara".

Michael J. McNamara, P.E.
Lassen District Engineer
Drinking Water Field Operations Branch

Enclosure

cc: Richard Hinrichs, P.E., Chief – Northern California Section, DDW, Redding

KEC\4510008 Fall Fiver Valley CSD\File: Enforcement

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Attn: Bill Johnson, General Manager

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter “California SDWA”), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter “Board”), acting by and through its Division of Drinking Water (hereinafter “Division”) and the Deputy Director for the Division (hereinafter “Deputy Director”), hereby issues a citation to the Fall River Valley Community Services District (hereinafter, CSD) Water System located in

1 Fall River Mills (24850 3rd Street, Fall River Mills, CA 96028), for violation of California
2 Code of Regulations (CCR), Title 17, Sections 7548 and 7605.

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4 **APPLICABLE AUTHORITIES**

5 **Section 116650 of California Health and Safety Code provides:**

6
7 (a) If the Division determines that a public water system is in violation of
8 this chapter or any regulation, permit, standard, citation, or order issued or adopted
9 thereunder, the Division may issue a citation to the public water system. The citation
10 shall be served upon the public water system personally or by certified mail. Service
11 shall be deemed effective as of the date of personal service or the date of receipt of
12 the certified mail. If a person to whom a citation is directed refuses to accept delivery
13 of the certified mail, the date of service shall be deemed to be the date of mailing.

14 (b) Each citation shall be in writing and shall describe the nature of the
15 violation or violations, including a reference to the statutory provision, standard, order,
16 citation, permit, or regulation alleged to have been violated.

17 (c) A citation may specify a date for elimination or correction of the
18 condition constituting the violation.

19 (d) A citation may include the assessment of a penalty as specified in
20 subdivision (e).

21 (e) The Division may assess a penalty in an amount not to exceed one
22 thousand dollars (\$1,000) per day for each day that a violation occurred, and for
23 each day that a violation continues to occur. A separate penalty may be assessed for
24 each violation.

25
26 **California Code of Regulations, Title 17, Section 7584, subsections (a) through**
27 **(f) provides in relevant part:**

1 The water supplier shall protect the public water supply from contamination by
2 implementation of a cross-connection control program. The program, or any
3 portion thereof, may be implemented directly by the water supplier or by
4 means of a contract with the local health agency, or with another agency
5 approved by the health agency. The water supplier's cross-connection control
6 program shall for the purpose of addressing the requirement of Sections 7585
7 through 7605 include, but not be limited to, the following elements:

- 8 (a) The adoption of operating rules or ordinances to implement the cross-
9 connection program,
- 10 (b) The conducting of surveys to identify water user premises where cross-
11 connections are likely to occur,
- 12 (c) The provision of backflow protection by the water user at the user's
13 connection or within the user's premises or both,
- 14 (d) The provision of at least one person trained in cross-connection control
15 to carry out the cross-control program,
- 16 (e) The establishment of a procedure or system for testing backflow
17 preventers, and
- 18 (f) The maintenance of records of locations, tests, and repairs of backflow
19 preventers.

20
21 **California Code of Regulations, Title 17, Section 7605, subsection (c) provides,**
22 **in relevant part:**

- 23 (c) Backflow preventers shall be tested at least annually or more frequently if
24 determined to be necessary by the health agency or water supplier. When
25 devices are found to be defective, they shall be repaired or replaced in
26 accordance with the provisions of this chapter.



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The CSD operates a community water system under a domestic water supply permit (Permit No. 78-011, issued on March 9, 1978), and serves a population of approximately 1,600 people through 488 service connections. The water system includes one active groundwater well (Well 01 – Mc Arthur Well), one inactive well (Well 02 – Dee Knoch Well), an inactive surface water intake (Fall River), three storage reservoirs (Tank 1 – West, Tank 2 – Middle, and Tank 3 – East), and two booster stations. Disinfection is not provided; however, a sodium hypochlorite solution metering pump is located at the well site in case emergency disinfection of the well is required.

Records submitted by the CSD show that backflow prevention devices have not been tested for a number of years. Fall River CSD instituted a cross connection ordinance in 1984. Cross connection records from 1988 show 21 backflow prevention devices; however, recent records (2012 Electronic Annual Report) indicate that there are approximately 54 backflow assemblies on service connection or meters within the CSD.

On May 15, 2015, the Division directed the CSD to submit a plan for achieving compliance with the backflow device testing requirements by June 5, 2015. To date, the Division has not yet received a plan.

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The Division has determined that the CSD violated, Title 17 of the CCR, in that the CSD failed to conduct annual testing of cross-connection control devices identified in the cross-connection program.

DIRECTIVES

The CSD is hereby directed to take the following actions:

1. Submit a plan to the Division by August 31, 2015, describing the intended actions to come into compliance with Sections 7584 and 7605, Title 17 of the California Code of Regulations.
2. Conduct a cross-connection control survey, and
3. Carry out the cross-connection control program, which includes testing each cross-connection control device, and submittal of test results along with records of any repairs made to the devices, to the Division by December 31, 2015.

All documents required by this Citation shall be submitted to the Division to the following address:

Michael J. McNamara, P. E.
Lassen District Engineer
State Water Resources Control Board
Division of Drinking Water
364 Knollcrest Drive, Suite 101
Redding, CA 96002
(530) 224-4800

As used in this Citation, the date of issuance shall be the date of this Citation; and the date of service shall be the date of service of this Citation, personal or by certified mail on the water system.

1 Nothing in this Citation relieves the CSD of its obligation to meet the requirements of
2 Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking
3 Water Act), or any regulation, permit, standard or order issued or adopted thereunder.

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5 The Division reserves the right to make such modifications to this Citation, as it may
6 deem necessary to protect public health and safety. Such modifications may be
7 issued as amendments to this Citation and shall be effective upon issuance.

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9 **FURTHER ENFORCEMENT ACTION**

10 The California SDWA authorizes the Board to: issue citation with assessment of
11 administrative penalties to a public water system for violation or continued violation of
12 the requirements of the California SDWA or any permit, regulation, standard, citation,
13 or order issued or adopted thereunder including, but not limited to, failure to correct a
14 violation identified in a citation or compliance order. The California SDWA also
15 authorizes the Board to take action to suspend or revoke a permit that has been
16 issued to a public water system if the system has violated applicable law or
17 regulations or has failed to comply with an order of the Board; and to petition the
18 superior court to take various enforcement measures against a public water system
19 that has failed to comply with or violates an order of the Board. The Board does not
20 waive any further enforcement action by issuance of this citation.

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22 **PARTIES BOUND**

23 This Citation shall apply to and be binding upon the CSD, its officers, directors,
24 shareholders, agents, employees, contractors, successors, and assignees.

25
26 **SEVERABILITY**

